

Spotswood for Lothian and Merse, Mr John Winton for Fife, John Arskine of Dun for Angus and Mearns, Mr John Willock for Glasgow, and Mr John Kersewell for Argyle and Gales, who were Delegates and Substitutes by and from the General Assembly, for the planting or displacing their Ministers, visiting Churches and the like, without any Superiority of Dignity or Jurisdiction of Stipend and subjected to the Authority of the Assembly of Ministers General Synodical or Presbyterial. So that they are grossly mistaken, who call this Superintendency an infant Prelacy, it being nothing in short but a temporary Expedient for the Necessity of the first planting the Church. I find no Statute binding the ministerial Duty in Scotland by distinct Parishes, till the Year 1501 Act 100. Par. 7. 9. 6. In the Year 1592 Presbyterian Parity was established by Law and all Prelacy or Superiority of any Office in the Church above that of a presbyter abolished Act 116. Par. 12. 9. 6. and Bishops

In An. 1606 Archbishops of Cure were restored Act 2. Par. 10. 9. 6. and in the Year 1612 full Power was given to these Bishops for Ordination and Church-
-kill Act. 1. Par. 21. 9. 6. but no civil jurisdiction. The spiritual jurisdiction of Bishops and Archbishops consisted in their having the sole Power of calling Synods and provincial Assemblies of the Clergy within their respective Dioceses in which they presided, and named the Brethren of the Conference, by whose Advice the Bishops deposed suspended and managed. The Bishops were ordained to build maintain and keep their ^{Churches and} Manse in Repair, and if they suffered them to decay in their Time, their Executors were liable to their Successors in Office for Damages. And these Successors in Office were obliged to give Satisfaction to their Predecessors Executors, for any Expences of building and Reparation made by them, at the Sight of two or three Bishops not exceeding 1000 Pound Act 8. Par. 21. 9. 6. So that a Bishop's Manse was allowed to be no dearer than a Minister's Manse is now: the Reason whereof seems to be, that the Price of things and Fees of Workmen are now much increased.

Presbytrie revived and Prelates were thrust out by Violence in the Year 1638 and their Expulsion ratified and confirmed by the Parliament 1640; and thereafter the Power of Presentation was taken from Patrons Act. 39. Par. 1649.

Prelates were restored in the Year 1662 Act. 1. Par. 1. Sep. 2. Ch. 2. When they consisted of 2 Archbishops and 12 Bishops. The Bishop of Edinburgh was Chancellor and Vicar to the Archbishop of St. Andrews, and so was the first ordinary Bishop M'kenzie Observ. on Act 2. Par. 22. 9. 6. The Bishops were elected by the Chapter of the See they were designed for upon a Write from the King called a Longe Desire that is a Power to elect, and an Edict assiet on the most patent Door of the Cathedral, charging the Chapter to convene for electing. But tho they pretended to elect, they were determined as to the Person by the Kings recommendatory Letter: and might

might have said upon the Longe Desire, the thing was done ere we came here. However they always invoked the Spirit of God to direct them in their Choice which was downright M'kenzie. The Chapter's Election under their Seals being returned, the King granted a Patent to the Person elected, carrying a Right to the Revenue, which passed thro all the Seals; and a Mandall to three Bishops at least for his Consecration, which passed only the great Seal per saltum Act. 1. Par. 22. 9. 6. If a Bishop was translated from one Diocese to another, he needed not to be consecrated or new again, Consecration being an indelible Character, that needs not to be renewed Hugh's Parson's Law Chap. 1. Bishops were Peers of the Realm Act. 6. Par. 3. 2. M. which bears by Consent of Noblemen both Spiritual and Temporal. The Archbishop of St. Andrews who was Primate of all Scotland was by a Letter from K. Charles 1. in the Year 1626 and by another from K. Charles 2. in the Year 1664 ordained to take place before the Lord Chancellor. But I do not find that Privilege was ever claimed by any Archbishop of St. Andrews, or yielded by the Chancellor, except in one Instance of Archbishop Sharp who in the Year 1669 took place and Rank of the E. of Glencairn then Chancellor. The Archbishop of Glasgow took place next to the Lord high Treasurer. Other Bishops were ranked before the Lord's. The Bishops also were liable to find Caution under the same pangs as Noblemen and to pay publick Burdens as such M'kenzie Observ. on Act 6. Par. 3. 2. M. The Wife and Child, or nearest of Kin of a Bishop, had Right to an Ann Act. 13. Par. 2. Sep. 3. Ch. 2 which comprehended a ^{Right} ~~Power~~ of to the Quotes of Testaments actually confirmed in his Lifetime or during the Course of the Ann 6 July 1676 Bishop of Edinburgh contra Wick-

The Inferior Episcopal Clergy were admitted by Presentation from the Patron to the Bishop, called the ordinary, and Collation from him and Institution. For Patrons were then restored to the Power of Presentation Act. 9. Par. 1. Sep. 1. Ch. 2. But where the Bishop as Patron, conferred plenary, the Presentation and Collation were the same 1 July 1627. M'kenzie contra Parishoners. An Actual Minister transported from one Church to another, was found to have no Right to a Terms Stipend fallen due after his Presentation before his Collation, tho he preached once before the Term; he having continued Minister of his former Kirk and got that Terms Stipend there because till Collation and Institution the Benefice is not understood to be full. But had the Incumbent received Collation before the Term, he would have been intitled to it, without Necessity to prove Institution, which was frequently omitted in the Church of Scotland 12 December 1676 College of Glasgow contra Heritors of Jedburgh. When the Bishop would not give Collation to the Person named by another Patron, the Patron might have applied to